

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT LEE REYNARD JR. and  
SHAWN REYNARD, his wife,

Plaintiffs,

vs.

TRACY BOWEN, an individual,  
AMA PRO RACING, an Ohio  
corporation, and RACER  
PRODUCTIONS INC., a West  
Virginia corporation,

Defendants.

2:04cv967  
Electronic Filing

Judge Cercone  
Magistrate Judge Caiazza

**MEMORANDUM ORDER**

On July 16, 2004, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 38 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On January 19, 2006, the Magistrate Judge issued a Report and Recommendation (Document 22) recommending that the District Court grant the Defendants' Motion for Summary Judgment (Document 18) as to all claims made by Plaintiff, Robert Lee Reynard, grant the Motion for Summary Judgment filed by Defendant AMA Pro Racing, Inc. (Document 18) as to all claims made by Plaintiff, Shawn Reynard, and deny Defendants' Motion for Summary Judgment (Document 18) as to all remaining Defendants with respect to claims made by Plaintiff, Shawn Reynard. Service of the Report and Recommendation was made on all parties.

Objections to the Report and Recommendation were filed by the Plaintiffs (Document 23). The Defendants did not file a response. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following ORDER is entered:

AND NOW, this 22<sup>nd</sup> day of February, 2006, IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment is granted in part and denied in part as more fully described above. The Report and Recommendation of Magistrate Judge Caiazza dated January 19, 2006, is hereby adopted as the opinion of the court.

David Cercone

David Stewart Cercone  
U.S. District Court Judge

cc: Honorable Francis X. Caiazza  
United States Magistrate Judge

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